



Statement of the ANC NEC Subcommittee on

Legislature and Governance Policy Discussion Document

towards the National Policy Conference

Preparations for the ANC National Policy Conference entail consultations with key sectors of our society, so as to ensure that the ANC is not blinded to the voices of our people. This media conference is an important step towards reaching more members of our society in frank and open discourse about the key state matters that affect the lives of South Africans.

South Africa has advanced since the 1994 democratic breakthrough. The ANC led restructuring and transformation in various sectors of the society albeit to varying degrees and impact. The main challenges of poverty, in-equality and land dispossession persist. The capacity and capability of the state is the most critical factor to the solution of this challenge.

Over the past 20 years the ANC governments in all three spheres have delivered basic services at an unprecedented scale. We still have many backlogs to address to recover from the effects of the apartheid spatial development and racist delivery processes. New challenges have, however, emerged, including the need to improve the quality of basic services as opposed to a focus only on quantity; addressing rapid urbanisation through the extension of services and infrastructure in urban areas; and the expansion

of the basket of social welfare support. All of these require much smarter approaches including greater use of new technologies.

Whilst continuing to deliver services to those who don't have, the ANC government must also address the new demands of the empowered. And all of this is done in an economy which is not growing sufficiently to cater for the new. This illuminates the paradox of the success of our democratic state.

Importantly, 83% of South Africans live on 2% of the land surface of South Africa. The continuous increase in urbanization and densities of these areas create further governance and developmental challenges.

The central theme and primary task of this paper is to build the capacity of the state. The ability to plan, implement, enforce, monitor and achieve the desired objectives. The policy paper focuses largely on the capacity and capability of the state, in respect to political institutions and the state machinery. It addresses issues of governance, configuration of the state, the public service, institutions supporting democracy and the framework for state owned entities.

To do this we must ensure the capacity of the state and the capabilities of the people working for the state, are continuously improved. We must ensure we better integrate what we do across the many spheres and sectors of government, and we enable all the elements of civil society to become more active in working with the state to achieve its aims.

At the heart of the legislature and governance policy paper is an assertion that power belongs to the people. The ANC has been

entrusted with political power to advance and pursue the needs of the people. This is irrespective of whether you voted for the ANC or not, the ANC government cares about all the citizens, and it remains the premier organization capable of driving the transformation programme.

The policy paper clearly articulates that, despite significant achievements since 1994, the broader task of social and economic transformation is far from over. The paper also acknowledges that state institutions still require transformation to adequately meet the needs of South Africans.

Economic discontents are dealt with extensively in the economic transformation sector. However the state has a key role to play in enabling the policy and legislative environment conducive for economic transformation. The tools for economic transformation under the state include licensing, transformation charters, land reform, state procurement and interventions by DFI and SOEs.

To address some of the structural deficiencies and coordination in building a capable state, the policy paper posits that the Presidency is the Strategic Centre of Governance. Therefore the Presidency must be re-configured and capacitated to drive strategic coordination, resource planning and prioritization in line with the objectives of developmental state and the National Development Plan. This must include alignment of public service administration, provinces, municipalities and state owned enterprises.

The ANC has noted with serious concern the escalating levels of corruption in the society, this include both the public and private

sector. We note that this is fast becoming a threat to good governance. We are consulting extensively with civil society and key role players on effective mechanism to combat corruption. The policy conference will pronounce on precise and targeted mechanisms and policy instruments to decisively deal with corruption in our society.

The policy paper also notes the leading role played by SOEs in creating economic and social infrastructure such electricity, rail, roads, water, and provision of housing and schools. We have unfortunately also noted that some of the SOEs are plagued by issues of poor governance and allegations of corruption. The process of consultation and finalizing the governance and oversight protocols for SOEs is underway. This will focus on how to we empower the public to hold SOEs accountable, how, legislatures play their role in tightening oversight and the executive taking full control in managing their portfolio of SOEs.

The policy paper also repositions the fifth parliament to lead the society as a true people's parliament. This includes strengthening the NCOP as the centre of provinces and municipalities. The institutional structure of parliament will also be strengthened with new political offices necessary to fully execute the mandate.

The ANC is reviewing the system of traditional leadership. Intense engagements and consultations with key role players in the traditional governance system is underway. There is a planned consultative conference on traditional leadership which will advance the course of this sector.

In respect of provincial and local government, previous ANC conferences have adopted transformative resolutions in respect of fiscal configuration, governance and service delivery institutionalization. These resolutions will require significant resources, time and legislative amendments to be implemented.

In summary this policy paper makes policy recommendations on the following areas:

- i. The need to consolidate political power in all spheres of government to drive transformation: In order to improve its effectiveness and efficiency in both selecting the right election candidates and running its election campaigns, a dedicated political and technical election machinery is to be developed. An ANC Electoral Commission will also focus on ensuring the credibility, integrity and capacity of ANC elected public representatives.
- ii. That given the scale and complexity of government's delivery across three spheres of government and the SoEs, the strategic centre of power in the Presidency must be strengthened to drive the implementation of the NDP, align planning and policy, resource allocation and enforcement. The aim here is to improve the alignment and integration of policies and development across the spheres and sectors of government. In addition, a Presidential commission on provinces will be established to review the alignment of powers of functions of all three spheres of government, with a specific focus on the Provincial roles and responsibilities.
- iii. That the public service must be modernized, made smarter, more capable and must operate more effectively, efficiently and economically.

- iv. That the National Spatial Development Framework, being developed by the NPC and DPME, and the Integrated Urban Development Framework, coordinated by COGTA, must guide, align and structure developmental outcomes to redress the spatial injustices of apartheid whilst improving the efficiency and effectiveness of development across our country.
- v. That we must establish political centres in our legislatures consistent with other arms of state, the speaker of parliament, the establishment of a Chief Whip of Parliament. We need to review the roles and responsibilities of legislatures. We need to review the NCOP and strengthen its role as a political centre for provinces and local government.
- vi. We must ensure the urgent implementation of the review of SOE report and the oversight and governance of SoEs must be strengthened.
- vii. That the roles and responsibilities of traditional leadership need to be resolved and in this regard that a consultative conference be held.

The ANC is not oblivious to the magnitude of challenges facing our people. We share in the people's impatience to overcome the crises of un-employment, crime, poverty and growing inequality and corruption.

The ANC remains loyal to the freedom charter and the principle that "THE PEOPLE SHALL GOVERN ". Therefore, the attainment of power by the ANC is a means to fulfil the will of the people by ensuring a better life for all.

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